

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 7, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor Justo Sustaita, Life Center Ministries, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).
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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of June 12, 2001.
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services between the City of El Paso, Texas and JDH/El Paso Appraisal Consultants, for the following property: Lot 1, Block 15, El Paso International Airport Tracts, Unit 11, City of El Paso, El Paso County, Texas, containing 26.41 acres of land, more or less.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art.

Event:	State of the Water Meeting
Licensee:	El Paso Water Utilities
Date:	September 19, 2001
Time:	8:00 a.m. - 10:00 a.m.
Charge for Space:	\$260.00

1074

Charge for Staff (est): \$80.00
Charge for Insurance: \$42.00
Area(s): Auditorium

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a Community Housing Development Organization (CHDO) activity under the City's Fiscal Year 2000 HOME Grant Program:

El Paso Community Action Agency
Project Bravo, Inc. - Cotton Apartment Project
Acquisition and Construction - \$231,721.00; and

That the Mayor, on behalf of the City, be authorized to sign a CHDO-Home Financial Terms Contract by and between the City, and El Paso Community Action Agency Project Bravo, Inc., a Community Housing Development Organization (CHDO) under the HOME Program, in the amount of \$231,721.00; and

That the Mayor be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power Of Sale) by and between the City, El Paso Community Action Agency Project Bravo, Inc., and the selected construction contractor, upon the recommendation of the Director of the Community and Human Development, and the approval of the City Attorney's Office.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a CHDO (Community Housing Development Organization) activity under the City's Fiscal Year 2000 HOME Grant Program:

Centro De Salud Familiar La Fe, Inc. - Home Partnership Project
Land Acquisition - \$30,000.00; and

That the Mayor be authorized to sign a CHDO Home Financial Terms Contract by and between the City of El Paso and Centro De Salud Familiar La Fe, Inc., a Community Housing Development Organization (CHDO), in the amount of \$30,000.00 for the Home Partnership Project; and

That the Mayor be authorized to sign a Subordination Agreement between the City, Centro De Salud Familiar La Fe, Inc., and the interim and permanent construction lender(s) providing the construction loans, and Partial Releases of Lien to be filed at the time the homes are sold, provided that the documents are recommended by the Director of Community and Human Development Department and approved by the City Attorney's Office.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a Community Housing Development Organization (CHDO) activity under the City's Fiscal Year 2000 HOME Grant Program:

PV Community Development Corporation - Valencia Place Project
Acquisition and Construction - \$505,000.00; and

That the Mayor, on behalf of the City, be authorized to sign a CHDO Home Financial Terms Contract with PV Community Development Corporation, a Community Housing Development Organization (CHDO) under the HOME Program, in the amount of \$505,000.00; and

That the Mayor be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power Of Sale) between the City, PV Community Development Corporation, and the selected Construction Contractor, provided that the document is recommended by the Director of Community and Human Development and approved by the City Attorney's Office.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a Community Housing Development Organization (CHDO) activity, under the City's Fiscal Year 2000 HOME Grant Program:

Santa Lucia Community Development Organization - Padilla Project
Acquisition and Construction - (8 single family homes) \$502,480.00; and

That the Mayor, on behalf of the City, be authorized to sign a CHDO Home Financial Terms Contract by and between the City and with Santa Lucia Community Development Organization in the amount of \$502,480.00; and;

That the Mayor be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power Of Sale) by and between and the City and Santa Lucia Community Development Organization, and the selected construction contractor, and partial releases of liens upon the closing of each home sale in accordance with project requirements provided that the documents are recommended by the Director of Community and Human Development and approved by the City Attorney's Office.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Master License Agreement and related documents with Claritas Inc. to provide for the use by the Economic Development Department of iXPRESS Pro Software and that the Director of Purchasing be authorized to issue a purchase order for such software. The software will provide demographic profiles, consumer facts and related information for economic development reports and activities and will be subject to an annual license fee of \$3,595.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Architectural Services between the CITY OF EL PASO and The Office of Public Architecture, for a project known as "Cleveland Square Redevelopment - New History Museum Building and the Addition, Remodeling and Refurbishing of Main Library" for an amount not to exceed ONE MILLION THREE HUNDRED TWO THOUSAND NINE

HUNDRED FOURTEEN and 00/100 DOLLARS (\$1,302,914.00); and that the Mayor be authorized to make any necessary budget transfers; and that city staff be authorized to negotiate and the Mayor be authorized to execute adjustments to this contract upon review and approval of The Office of Public Architecture, and the City Attorney's office.

Representative Sumrall opened the discussion by stating that she thought The Office of Public Architecture was a State office. However, she has realized that two architectural firms are utilizing the name. She questioned whether this project had gone through the A&E process.

Representative Medina responded yes.

Ms. Irene Ramirez, Assistant Deputy Director - Engineering, explained in detail the project for Council Members' information.

Representative Sumrall remarked that all governmental agencies have been criticized for not coordinating projects; however, this project is very well coordinated.

Representative Escobar questioned whether the History Museum would still be operating normally.

Ms. Rene Harris, History Museum Director, explained that the Museum would operate as scheduled in the current location until the new building is ready. The new building would open in the Fall of 2003.

Representative Escobar questioned if the property currently housing the Museum of History would revert back to the property owners.

Ms. Harris stated yes.

Representative Escobar asked if the City Attorney's office would look into this matter regarding the date as to when the land would be returned to the property owners.

Representative Sariñana asked what plans the City has for the "old" History Museum building. He asked that the Council consider keeping the present location as an alternate location.

Mayor Raymond Caballero stated that this matter would be researched by the City Attorney's office.

Representative Cobos asked Ms. Ramirez whether the proposal was strictly for the building.

Ms. Ramirez responded that the proposal is for the Master Plan of the entire site and the design for the Library and Museum.

Representative Cobos spoke about the four story statue of Don Juan de Oñate and asked if it might be seen from the freeway and utilized as a tourist attraction.

Ms. Ramirez explained that this idea would be discussed during the Master Plan process.

Mr. Ed Drusina, Director of Public Works, explained what procedures would be taken during the Master Plan process. He stated that professional architects would be giving their recommendation(s) to Council Members through the Master Plan process.

Representative Sariñana questioned whether the architects would be utilizing Bond monies regarding the placement of the statue.

Mr. Drusina explained the distribution of the Bond monies as follows: \$6.6 for the History Museum; \$7.2 for the main library. He stated that the monies were approved by the voters and appropriated this year. Mr. Drusina explained that the architects would be composing a Master Plan for the whole Cleveland Square which includes the Library, History Museum and the statute.

Representative Sariñana stated that the voters did not give their permission for architects to make recommendation(s) as to the placement of the Don de Onate statue.

Mr. Drusina stated that as part of the Quality of Life program, which included the improvements of Cleveland Square, voters did approve this initiative. The Master Plan would look at Cleveland Square overall including demolition and the project budget. If the architectural firm feels that changes to the design are necessary in order to meet the budgetary estimate, those changes would be implemented.

Representative Sumrall questioned whether the architectural firm would also function as "Project Manager". Mr. Drusina responded yes; however, the Engineering Department would oversee the details regarding day to day operations.

Representative Power asked Mr. Drusina when would the architectural firm present Council Members with a plan.

Mr. Drusina stated that a Final Design would be submitted to the City in May, 2002. Documents for construction in June and a bid opening would be in late July 2002.

Representative Cobos stated that he has unresolved questions and asked if Mr. Drusina would be available to answer his questions.

Mr. Drusina responded that Mr. Gonzalo Cedillos, Deputy Director of Engineering, Ms. Ramirez and himself would be available to answer any questions.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Application for Federal Assistance from the United States, Environmental Protection Agency, Region VI (EPA) and related documentation, on behalf of the El Paso City-County Health and Environmental District for continued Air Pollution Control Program Support in the City of El Paso. This one year commitment includes a total compensation of FOUR HUNDRED THOUSAND DOLLARS AND 00/100 (\$400,000.00) from the EPA. The cost to the City is a match of TWO HUNDRED SIXTY SIX THOUSAND AND SIX HUNDRED SIXTY SEVEN DOLLARS AND 00/100 (\$266,667.00).

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement, with a transformer site, to the El Paso Electric Company on a portion of Lot 12, Block 3, El Paso International Airport Tracts, Unit 3 Replat, El Paso County, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement granting an Overhead Electrical Easement, with a transformer site, to the El Paso Electric Company on a portion of Section 31, Block 81, Township 1, Texas and Pacific Railroad Surveys, El Paso County, Texas.

NOTE: Resolution was revised to read "Overhead Electrical Easement".

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for :

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
8010 North Loop Drive	\$319.85	\$213.60	\$533.45
8010 North Loop Drive	\$513.10	\$133.10	\$646.20

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and accept a grant award to the City of El Paso Police Department for an Automobile Theft Prevention Grant (tenth year) in the amount of \$1,176,631.00 from the Automobile Theft Prevention Authority - State of Texas, for the purpose of continuing the efforts of the Department in reducing auto theft in El Paso County; and that the Mayor be authorized to execute on behalf of the City of El Paso any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of in-kind funds, and any documents to request and accept an extension of the award ending date for the grant. In-Kind Match for the operation of the task force is \$1,115,717.00.

Representative Medina asked for information regarding the grant. He commented that approximately six to seven years ago El Paso had one of the highest automobile theft rates in the country. He added that El Paso also had one of the lowest recovery ratios in the country.

Lt. Alfred Lowe, El Paso Police Department Auto Theft Task Force, explained that the grant began in 1993. He gave Council Members statistics regarding auto thefts and recovery ratios. He explained that in 1997 the Auto Theft Task Force was restructured and since then statistics have shown consistent reductions in auto thefts. He stated that the grant has been increased this year to include an Abandoned Auto Section which would address Salvage Dealers and curbstoning issues.

Representative Medina questioned the City's in-kind match and from which account this money would be deducted. He explained that the citizens of El Paso pay incredibly high premiums when the auto theft rate in the community is very high. He stated that this is a very important issue and asked Lt. Lowe to continue

working aggressively to insure that the lost ratio is kept low and the recovery ratios high. He asked Lt. Lowe how the Police Department's relationship with Ciudad Juarez is regarding auto theft.

Lt. Lowe responded that the monies would be coming from the Police Department's General Fund. Lt. Lowe stated that the monies awarded from this grant last year instituted a new program called "Border Progress". This program enlists the assistance of prosecutors in the Police Departments of both El Paso and Ciudad Juarez. The automobile recovery rate has increased from 17% in 1997 to 52% currently.

Representative Cobos questioned the amount of monies utilized for public relations, specifically the educational marketing.

Lt. Lowe responded that he would provide this information to Representative Cobos at a later date.

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Task Force Agreement and all required certifications by and between the U.S. Department of Justice, Drug Enforcement Administration, and the City of El Paso for the remaining portion of federal fiscal year 2001 and federal fiscal year 2002, relating to the operation of the Task Force.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and BENTHUL & KEAN, LLP. to provide legal services regarding environmental laws and regulations applicable to the City. The total cost for such services, shall not exceed the amount of \$25,000.00.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and NORMAN GORDON, to provide legal services regarding utility laws and regulations applicable to the City. The total cost for such services, shall not exceed the amount of \$50,000.00.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Amendment to the Interlocal Contract entered into on February 23, 1999, between the CITY OF EL PASO, the EL PASO INDEPENDENT SCHOOL DISTRICT (EPISD), and the YSLETA INDEPENDENT SCHOOL DISTRICT (YISD), to facilitate cooperation in providing all types of employee benefits and risk management services to their employees. Amendment is to allow the CLINT INDEPENDENT SCHOOL DISTRICT (CISD) to become part of this Contract as an Associate Party. The City will not incur any costs associated with this Amendment.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on the following City properties, as described in the Agreement:

Kern Place Association, Inc.
Madeline Park Alethea Park

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a "Park Partner" Agreement with the following individual for maintenance and other services on City property as described in the Agreement.

Ms. Lucinda Cuellar Borderland Park

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor and Council Representatives approve the list of non-baseball events scheduled at Cohen Stadium for the period of August 5, 2001, through November 4, 2001, and confirm the existing rental schedule.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Omar P. Alba, Lifeguard I, Step 1
DATES: July 2, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-329
2. CONTRACTOR: Michael A. Carr, Lifeguard I, Step 1
DATES: July 9, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-330
3. CONTRACTOR: Dennis R. Chavez, Lifeguard I, Step 1
DATES: July 9, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-331

4. CONTRACTOR: Alfredo J. Corona, Lifeguard I, Step 1
DATES: July 9, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-332
5. CONTRACTOR: Daniel Juarez, Jr., Lifeguard I, Step 1
DATES: July 16, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-333
6. CONTRACTOR: Alberto Marin, Lifeguard I, Step 1
DATES: July 16, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-334
7. CONTRACTOR: Ernesto Marin, Lifeguard I, Step 1
DATES: July 9, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-335
8. CONTRACTOR: Wendi Lynn Stewart, Lifeguard I, Step 1
DATES: July 10, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-336
9. CONTRACTOR: Jessica Walgenbach, Lifeguard I, Step 1
DATES: July 2, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-337

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

NORTHEAST

NO. 510107, SUBOBJECT 201011

1. CONTRACTOR: Armida Defelix, Assistant Day Care Instructor, Step 1
DATES: June 15, 2001, thru August 31, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-322

NOTE: Resolution was revised to read: "NORTHEAST"
NO. 510107, SUBOBJECT 201011
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **IRMA C. CRUZ** as a Grants Technician for the City's Community Development Department at the bi-weekly rate of \$887.76, not to exceed 40 hours per week. The contract period shall be from August 17, 2001 through January 16, 2002.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO** and **RHEA JOYCE RUBIN** to present 2 workshops on "Defusing the Angry Patron" to be held at the Jeff Davis County Library in Ft. Davis, Texas on August 8, 2001 and at the Clardy Fox Branch of the El Paso Public Library System on August 10, 2001. The total amount of the contract shall not exceed \$4,000.00 and this contract is subject to the approval of the City's Civil Service Commission.

Representative Medina stated that there were questions raised at the Pre-Council meeting questions which he would like answered.

Ms. Barbara Valle, Trans Pecos Public Library System (TPPLS) Coordinator, responded that the TPPLS is a grant funded program through the Texas State Library. She explained that one function of the TPPLS is to provide continuing education to the library staff. She remarked that Ms. Rubin would provide two workshops on this topic. Ms. Rubin has written 15 books on this and other interesting topics for librarians.

Representative Medina remarked on the amount of the contract and asked how many people would be attending the presentation at the Clardy Fox library branch. He stated that this presentation should be made mandatory for library staff and asked if there might be some other library that might seat additional individuals.

Ms. Valle remarked that this grant covers 15 libraries and that approximately 15 individuals are scheduled for the Ft. Davis presentation and over 50 City employees are scheduled for the Clardy Fox presentation.

Representative Medina commented on "public service" for City employees and asked if this presentation would be taped and made available to all City Departments.

Representative Sumrall explained that the Trans Pecos Library Consortium governs several municipality libraries. The grant is specifically to train library personnel.

Representative Medina said he understood that individuals attending this presentation are only library personnel.

Mayor Raymond Caballero asked Ms. Bond or Ms. Brey to provide information to Representative Medina regarding other City personnel's ability to attend these presentations.

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **DEE ANN BOYD** for Court Reporting services in the Municipal Court at the rate of \$60.00 for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall be for the period of September 1, 2001 through August 31, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **JANIE D. RUIZ** for Court Reporting services in the Municipal Court at the rate of \$60.00 for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall be for the period of September 1, 2001 through August 31, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **MARGARITO "MAX" VENZOR** for Court Reporting services in the Municipal Court at the rate of \$60.00 for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall be for the period of September 1, 2001 through August 31, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **AMY B. REED** to work as a School Services Coordinator at the Museum of Art at the biweekly rate of \$1,038.46; not to exceed 40 hours per week. The contract period is from August 20, 2001 through August 31, 2002 and is subject to the approval of the City's Civil Service Commission.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Temporary Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO** and **JOHN J. CLANCY** for professional recruitment and examination services for the City of El Paso. The period of the contract is from August 10, 2001 through February 28, 2002. The total amount of this contract shall not exceed \$79,000.00 and is subject to the approval of the City's Civil Service Commission.

Representative Sumrall stated that this is very exciting and questioned whether Mr. Clancy was part of the organization that discovered the City's new Zoo Director.

Ms. Terry Bond, Interim Personnel Director, responded yes and also the City's new Information Technology Director, Mr. Jim Pulliam.

Representative Sumrall stated Mr. Clancy would be assisting the City in locating a new CAO, Personnel Director and Public Health Administrator.

Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to approve the above Resolution.

*Motion made, seconded and unanimously carried to approve the request from Mario Esparza of the El Paso Water Utilities Department for Special Sick Leave.

*Motion made, seconded and unanimously carried to approve the request from Alicia M. Villegas of the Library Department for Special Sick Leave.

*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Assistant Transit Director, Operations & Maintenance (1)
- B. Equipment Operator III (1)
- C. Secretary I (1)
- D. Arts Audience Development Coordinator (1)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Airport

Add	(1)	Administrative Analyst	78
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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Zoo

Delete	1.0	Administrative Analyst	78
Add	1.0	Administrative Assistant	23

*Motion made, seconded and unanimously carried to award Bid No. 2001-209 Storm Drain Grates

Award to:	Lone Star Welding
	El Paso, Texas
Items:	All
Amount:	\$15,000.00 (Estimated Annually)

Department:	Public Works, Street Department
Funds available:	010160-202215
Funding source:	General Funds
Total Award:	\$15,000.00 (Estimated Annually)

Street Department and Purchasing recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a twenty-four -- (24) month contract with the bidder offering the option to extend the term of this contract for two additional years.

*Motion made, seconded and unanimously carried to award Bid No. 2001-217 Pre-Fabricated Portable Building

Award to:	Rio MEBCO Metal Bldgs. & Supply Inc.
	El Paso, TX

Items: #1
Amount: \$17,500.00

Department: Equipment Maintenance
Funds available: 250101-208002
Project: MB001
Funding source: Certificate of Obligations 2000, Buildings
Total Award: \$17,500.00

Equipment Maintenance Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a one-time purchase.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-227 EPIA-Airport Terminal & La Placita Renovation Phase II

Contractor: SamCorp General Contractors
El Paso, Texas

Department: Airport
Funds available: 620028-AP0004-100-208027
Funding source: EPIA-Capital
Base Bid I: \$4,408,000.00
Alternate #1: \$ 54,000.00

Total Award: \$4,462,000.00

The Purchasing Department recommends the award of this contract to SAMCORP General Contractors, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid I \$4,408,000.00
Alternate #1 \$ 54,000.00

TOTAL RECOMMENDED AWARD: \$4,462,000.00

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Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-247 Loretto Lincoln Park Renovation

Mr. Charles Nutter, Director of Parks & Recreation, clarified the difference between Lincoln Park and Loretto Lincoln Park.

Representative Cook questioned the funding source for this project.

Mr. Nutter explained that the funding source is Community Development.

Representative Sumrall questioned whether the contractor would have a problem completing the project with the amount of money awarded.

Mr. Nutter responded no he did not think so.

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to award Bid No. 2001-247 Loretto Lincoln Park Renovation

Contractor: Lomeli and Son's Landscaping Co. Inc.
El Paso, Texas

Department: Parks & Recreation
Funds available: 150069-7126CD-0018-208027
Funding source: CD
Base Bid I: \$368,200.00
Alternate #1: \$ 7,850.00
Alternate #2: \$ 6,900.00
Alternate #3: \$ 3,850.00

Total Award: \$386,800.00

RECOMMENDATION

The Purchasing Department recommends the award of this contract to Lomeli & Sons Landscaping Co., Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid I	\$368,200.00
Alternate #1	\$ 7,850.00
Alternate #2	\$ 6,900.00
Alternate #3	\$ 3,850.00

TOTAL RECOMMENDED AWARD: \$386,800.00

.....

*Motion made, seconded and unanimously carried to award Bid No. 2001-261 13-Passenger Airport Shuttle Bus

Award to: National Bus Sales and Leasing, Inc.
Marietta, Georgia
Item: 1A (Alternate)
Amount: \$91,386.00

Department: Department of Aviation
Funds available: 620020-208006-500004
Funding source: Airport Capital Outlay
Total amount: \$91,386.00

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase for two 13-Passenger Airport Shuttle Buses, for the El Paso International Airport. Furthermore, it is requested to reject all bids submitted for item 1. This item is being deleted. Item 1A is being awarded that has a wheelchair lift.

There was an option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within six (6) months from the date of award of the contract.

Vendor does not offer a fast pay discount.

.....
*Motion made, seconded and unanimously carried to approve Change Order No. 3 (Scope Change) to W.R. Albert Construction for "Fire Station #11" for an increased amount of \$10,868.00. The El Paso Police Department requested additional items and modifications to police store front area at Fire Station #11. This change is not part of the original contract.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-689 AIRPORT

Transfer of funds to cover cost of electricity to the new cargo complex until accounts can be transferred to the new tenants.

Increase	\$15,000	to	620004/204100	Electricity
Decrease	\$15,000	from	620001/204405	Oper Contingency

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-690 AIRPORT

Transfer of funds to cover anticipated shortages for the rest of the fiscal year based on year-to-date usage.

Increase	\$ 3,000	to	620005/203001	Gasoline
Increase	\$ 13,000	to	620005/203206	Office Equip Maint
Increase	\$200,000	to	620005/204100	Electricity
Decrease	\$216,000	from	620001/204405	Oper Contingency

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-691 COMMUNITY DEVELOPMENT

This transfer will increase the funds in the Apodaca Place Completion Project, a 26th Year (2000-2001) Community Development Project. The increase will cover a change order.

Decrease	\$3,500	from	150047/7126CD0002/208027	Construction
Increase	\$3,500	to	150069/7126CD0009/20802	Construction

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-693 CONVENTION AND VISITORS BUREAU

Increasing appropriation to meet contractual obligation.

Increase	\$250,000	to	010270/107002	Estimated Revenue
Increase	\$250,000	to	010270/202115	Mgmt Consultant

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-697 PUBLIC WORKS

Public Works proposes to appropriate \$353,860.83 for improvements and renovations to Blackie Chesher and Marion Manor Parks. Funding source is revenue received for sale of land to Y.I.S.D.

Increase	\$253,860.83	to	102010/PW0046023/107032	Proceed Sale of Land
Increase	\$253,860.83	to	102010/PW0046023/208027	Construction
Increase	\$100,000.00	to	102010/PW0046006/107032	Proceed Sale of Land
Increase	\$100,000.00	to	102010/PW0046006/208027	Construction

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-698 PUBLIC WORKS

Public Works proposes to appropriate \$400,000 to fund construction of Airway Blvd. Funding source is FY00 Sale of CO's.

Increase	\$400,000	to	250102/PW0035008/107001	Intrafund Trsfer
Increase	\$400,000	to	250102/PW0035008/208027	Construction
Increase	\$400,000	to	250102/PW0035011/107020	Bond Proceeds
Increase	\$400,000	to	250102/PW0035011/207001	Intrafund Trsfer

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-705 COMMUNITY DEVELOPMENT

This budget transfer of \$5,000 moves funds from the 26th Year FY 2001 Administration Account to the Collingsworth Phase IV design phase. Added funds will cover architects contract fee.

Decrease	\$5,000	from	150047/7126CD0002/208027	Construction
Increase	\$5,000	to	150069/7126CD0015/208016	City Architecture

*Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

- A. Building Permit refund to Matrix Service, Inc. in the amount of \$658.00.
- B. Building Permit refund to Five Starr Holding Co. in the amount of \$5,431.50.
- C. Plan Review Fee refund to Alejandro Olivas in the amount of \$100.00.
- D. Food Establishment Permit refund to Sylvia Alvarez in the amount of \$30.00.
- E. Alcoholic Beverage License refund to Hugh L. Berryman c/o Denny's in the amount of \$212.50.

- F. Alcoholic Beverage License refund to Hugh L. Berryman c/o Denny's in the amount of \$87.50.
- G. Alcoholic Beverage License refund to Hugh L. Berryman c/o Denny's in the amount of \$87.50.
- H. Alcoholic Beverage License refund to Hugh L. Berryman c/o Denny's in the amount of \$87.50.
- I. Zoning Board Application refund to Rio Merco in the amount of \$440.00.

*Motion made, seconded and unanimously carried to approve the request of El Paso Central Business Association/Mike Breitingner to hold a foot race/walk on October 6, 2001 from 7:30 a.m. to 9:30 a.m. Route: Start at Cotton through Texas, ending at North Mesa. Approximately 180 persons will take part and 100 spectators are anticipated. This request includes permission to use amplification (bullhorn). PERMIT NO. 01-082

*Motion made, seconded and unanimously carried to approve the request of Jerry Correia/Southwestern Pride Parade to hold a parade on June 1, 2002 from 11:00 a.m. to 1:30 p.m. Route: Begin at corner of Montana and St. Vrain, west to Mesa, south on Mesa to San Antonio, east on San Antonio to Ochoa, to First, ending at First and Ochoa. Approximately 250 persons, 20 vehicles, 10 animals and 5 floats will take part and 200 spectators are anticipated. This requests includes permission to use amplification (2 bullhorns). PERMIT NO. 01-087

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to delete an Ordinance changing the zoning of Lots 7 - 10, Block 14, Alexander Subdivision, El Paso, El Paso County, Texas (220 Blacker Avenue) from R-4 (Residential) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant/Representative: Patrick R. and Angelica J. Barill, 220 Blacker Ave., 79902; ZC-99054

Ms. Pat Adatao, Planning Director, explained that the applicant had requested the item be deleted.

Representative Sumrall explained that this address would be included in the "Neighborhood Plan"; therefore, this item is unnecessary.

Representative Cobos abstained from the vote.

*Motion made, seconded and unanimously carried to postpone two (2) weeks an Ordinance changing the zoning of a Portion of Tract 7, Pendale Acres, Unit 2, City of El Paso, El Paso County, Texas (445 Pendale Road) from R-F (Ranch-Farm) to R-2A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Oscar and Jennifer Lujan / Representative: Oscar and Jennifer Lujan, 12232 Russolo Drive, El Paso, TX 79936. ZC-01021.

ORDINANCE 14906

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE ANGEL CHAFINO MEMORIAL FUND TO TEMPORARILY CLOSE PORTIONS OF DURANGO STREET, SAN FRANCISCO AVENUE AND THE ALLEY BETWEEN SAN FRANCISCO AVENUE AND WESTERN COURT FOR A 2ND ANNUAL BENEFIT CONCERT FOR THE "ANGEL CHAFINO/STOP THE VIOLENCE MEMORIAL SCHOLARSHIP FUND" ON AUGUST 12TH AND 13TH, 2001**

Ms. Pat Adatao, Planning Director, explained the Special Privilege for Council Members. She stated that the Development Coordinating Committee recommended in favor of the Special Privilege.

Representative Cobos introduced Mr. Robert Chafino, brother of Angel Chafino.

Mr. Robert Chafino explained that over \$8,000.00 has been distributed as "Angel Chafino/Stop the Violence Memorial scholarships and this concert would hopefully double the amount of monies for scholarships in the future.

Motion duly made by Representative Cobos, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14907

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF PRINTING EQUIPMENT OPERATOR II**

Motion duly made by Representative Sumrall, seconded by Representative Rodriguez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos,
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14908

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF ARTS AUDIENCE DEVELOPMENT COORDINATOR**

Motion duly made by Representative Sumrall, seconded by Representative Rodriguez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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10.57

ORDINANCE 14909

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A SPECIAL WARRANTY DEED CONVEYING TO THE UNITED STATES OF AMERICA A PARCEL OF LAND CONSISTING OF 4,094 SQUARE FEET, BEING A PORTION OF UNOPENED RIGHT OF WAY DIRECTLY WEST OF THE EL PASO FEDERAL COURTHOUSE ADJACENT TO THE SOUTHWEST CORNER OF KANSAS AND EAST SAN ANTONIO STREETS, EL PASO, EL PASO COUNTY, TEXAS.**

Representative Medina questioned the meaning of "conveying". He asked if the City was giving the land away.

Ms. Rita Rodriguez, First Assistant City Attorney, explained that it refers to an exchange of title.

Mr. Robert Andron, Assistant City Attorney, clarified the exact location of the land and stated that the City has relocated several war memorials to Calendar Park located across the street from the federal courthouse. In conjunction with the federal government, a security fence would be installed around these memorials.

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14910

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 61, RANGERS REST UNIT 3, CITY OF EL PASO, EL PASO COUNTY, TEXAS (1259 TOWER TRAIL) FROM P-I/SC (PLANNED INDUSTRIAL/SPECIAL CONDITIONS) TO C-4/SC (COMMERCIAL/SPECIAL CONDITIONS), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sariñana asked for an elaboration regarding the special conditions.

Ms. Pat Adaauto, Planning Director, explained the special conditions of the rezoning for Council Members. She stated that the Development Coordinating Committee (DCC) and City Plan Commission (CPC) have recommended in favor of the zoning change subject to a Detailed Site Development Plan. There have been no telephone calls or letters objecting to the zoning change.

Representative Sariñana made comments regarding the 18 wheelers parking in areas that they should not be parking in. He asked that something be done regarding this problem in this area and throughout the City.

Ms. Adaauto stated that the Plan for El Paso designates this entire area for Industrial Use and this is down zoning. She said she would forward Representative Sariñana's concerns to the Enforcement Department.

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

ORDINANCE 14911

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01011, TO ALLOW FOR A NEIGHBORHOOD CONSERVANCY OVERLAY ON ALL OF BLOCK 75, ALL OF LOTS 1 TO 10 OF BLOCK 76, ALL OF LOTS 1 TO 10 OF BLOCK 92, ALL OF BLOCKS 93 THROUGH 94, ALL OF BLOCKS 97 THROUGH 100, ALL OF BLOCKS 106 AND 113, ALL OF LOTS 1 TO 10 OF BLOCK 114, ALL OF LOTS 1 TO 10 OF BLOCK 127, ALL OF BLOCKS 135, 136, 142, 143, 146, 147, 148, 149, 150 AND 151, ALL OF LOTS 1 TO 10 OF BLOCK 152, ALL OF LOTS 1 TO 10, BLOCK 164, ALL OF BLOCKS 165, 166, 167, 168, 169, 170, 171, 174, 176, 177, 178, 179, 180, 181, 182 AND 183, ALL OF LOTS 1 TO 10, BLOCK 184, ALL OF LOTS 1 TO 10, BLOCK 192, ALL OF BLOCKS 193, 194, 195, 196, 197, 198, 199, 200, 201, 202 AND 203, ALEXANDER ADDITION; ALL OF BLOCKS 33, 34 AND 36, FR B ALEXANDER ADDITION; ALL OF BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 20A, 91 AND 108, KERN PLACE ADDITION; ALL OF BLOCK 3, MURCHISON TERRACE SUBDIVISION; ALL OF BLOCK 1, 2, 3, 4, 5, 6, 7, 8 AND 9, RIM ROAD ADDITION; AND ALL OF TRACT 39, H.F. FISHER SURVEY 239; ALL IN EL PASO, EL PASO COUNTY, TEXAS (RIM-UNIVERSITY NEIGHBORHOOD) PURSUANT TO TITLE 20 (ZONING, SECTION 20.12.040.W (R-3 RESIDENTIAL DISTRICT), 20.14.040.W (R-4, R-5 RESIDENTIAL DISTRICTS), 20.22.040.T (A-2 APARTMENT DISTRICT), SECTION 20.24.040.S (A-3 APARTMENT DISTRICT), SECTION 20.28.040.S (A-O APARTMENT/OFFICE DISTRICT), SECTION 20.36.040.N (C-1 COMMERCIAL DISTRICT), AND SECTION 20.52.060.I (S-D SPECIAL DEVELOPMENT DISTRICT) OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sumrall, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14912

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01012 TO ALLOW FOR A RESIDENTIAL MIXED-USE DEVELOPMENT AS FOLLOWS: PARCEL I, ALL OF LOTS 1 TO 10, BLOCK 114, ALL OF LOTS 1 TO 10, BLOCK 127, AND ALL OF LOTS 1 TO 10, BLOCK 152, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1901, 1905 AND 1911 STANTON STREET, 220 BLACKER AVENUE, 215 AND 217 BLACKER AVENUE, 2011 AND 2021 STANTON STREET, 2101, 2109, 2115, AND 2119 STANTON STREET); AND PARCEL II, THE NORTH 7 FEET OF LOT 7, ALL OF LOT 8, AND THE SOUTH 12 FEET OF LOT 9, BLOCK 164, ALEXANDER**

BLOCK 152, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1901, 1905 AND 1911 STANTON STREET, 220 BLACKER AVENUE, 215 AND 217 BLACKER AVENUE, 2011 AND 2021 STANTON STREET, 2101, 2109, 2115, AND 2119 STANTON STREET); AND PARCEL II, THE NORTH 7 FEET OF LOT 7, ALL OF LOT 8, AND THE SOUTH 12 FEET OF LOT 9, BLOCK 164, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS (2221 STANTON STREET) PURSUANT TO SECTION 20.14.040.X (ZONING) OF THE EL PASO MUNICIPAL CODE.

Motion duly made by Representative Sumrall, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Sariñana
NAYS: None Absent: None Abstain: Council Member Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14913

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTERS 20.16 (RMH RESIDENTIAL MOBILE HOME DISTRICT), 20.18 (PMD PLANNED MOUNTAIN DEVELOPMENT DISTRICT), 20.32 (A-M APARTMENT AND MOBILE HOME PARK DISTRICT), 20.34 (C-OP OFFICE PARK DISTRICT), 20.36 (C-1 COMMERCIAL), 20.38 (C-2 COMMERCIAL), 20.40 (C-3 COMMERCIAL), 20.42 (C-4 COMMERCIAL), 20.44 (C-5 CENTRAL BUSINESS DISTRICT), 20.45 (Q QUARRY DISTRICT), 20.46 (M-1 LIGHT MANUFACTURING DISTRICT), 20.48 (M-2 HEAVY MANUFACTURING DISTRICT), 20.50 (M-3 UNRESTRICTED MANUFACTURING DISTRICT), 20.58 (P-C PLANNED COMMERCIAL DISTRICT), AND 20.60 (P-I PLANNED INDUSTRIAL DISTRICT) OF THE EL PASO MUNICIPAL CODE TO ALLOW AN OVERLAY DESIGNATION THROUGH A SPECIAL PERMIT PROCESS FOR A NEIGHBORHOOD CONSERVANCY OVERLAY, THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE CODE.**

Ms. Pat Aauto, Planning Director, explained the Ordinance and Special Permit for Council Members.

Representative Sumrall stated that this item has been long in coming and individuals have worked very, very hard on this. At this time she introduced and thanked those individuals who contributed to this: Angie Barill, Bob Brannon, Margie Caballero, Mary Caballero, Ann Lilly and Attorney Risher Gilbert.

Ms. Aauto stated this Plan has been submitted to the Texas Chapter of American Planning Association with an application for a project planning award. The Association recognizes neighborhood planning projects.

Representative Sumrall stated that Ms. Aauto has been working on this for a very long time and acknowledged her very diligent, thorough work on the project.

Representative Cook acknowledged Ms. Aauto's leadership abilities.

Mayor Raymond Caballero commended Ms. Aauto for spending countless numbers of hours on this project and the wonderful outcome of this.

Motion duly made by Representative Cook, seconded by Representative Cobos that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Sariñana

NAYS: None Absent: None Abstain: Council Member Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to delete an Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Museum Department), Section 2.40.020 (fees), of the El Paso Municipal Code and Ordinance No. 14194, to eliminate admission fees to the El Paso Museum of Art and to the El Paso Wilderness Park Museum. This was placed on the agenda by mistake.
.....

RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01009, FOR A PORTION OF LOT 1, BLOCK 19, REGAL CREST UNIT THREE, REPLAT "A", EL PASO, EL PASO COUNTY, TEXAS (420 REDD ROAD), PURSUANT TO SECTION 20.04.140 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **MIMCO INC.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.04.140 (Zoning) of the El Paso Municipal Code, to permit the construction and development of a commercial/retail facility; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicants, to permit the construction and development of a commercial/retail facility on the following described property which is located in a **C-1/sc (Commercial/special conditions) District**:

A Portion of Lot 1, Block 19, REGAL CREST UNIT THREE, REPLAT "A", El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 420 Redd Road.

A copy of the approved detailed site development plan, signed by the Applicants, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-1/sc (Commercial/special conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-1/sc (Commercial/special conditions) District regulations**. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Amendment to the Contract between the CITY OF EL PASO and SALVADOR RENTERIA, amending the Contract imposed by Ordinance No. 003834 and dated September 21, 1967, to release the conditions on *all of Lot 45, Block B, BASSETT ADDITION, City of El Paso, El Paso County, State of Texas*, as further described in Exhibit "A" to said Contract.

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Contract Release, between SALVADOR RENTERIA and the CITY OF EL PASO, releasing the Contract imposed by Ordinance No. 005681 and dated January 15, 1976, on *all of Lot 46, Block B, BASSETT ADDITION, City of El Paso, El Paso County, State of Texas*, as further described in Exhibit "A" to said Contract Release.

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Amendment to the Contract between the City of El Paso and JKS PROPERTIES INC. amending the Contract imposed by Ordinance No. 006990 and dated August 11, 1980, as amended by that certain Contract imposed by Ordinance No. 008686 and dated June 3, 1986, and further amended by Partial Release dated September 25, 1990, to release the restrictions only on the property described as *a portion of Tract 3D, First Supplemental Map of PARKLAND ADDITION, City of El*

Paso, El Paso County, State of Texas, as further described by metes and bounds in Exhibit "A" to said Amendment to Contract.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

.....
*Motion made, seconded and unanimously carried to postpone five (5) weeks a Resolution approving Detailed Site Development Plan No. DP-00026, for a portion of Tracts 8A & 8B1, Section 36, Block 80, TSP. 2, T&P RAILWAY CO. SURVEYS, El Paso, El Paso County, Texas (11200 Montana Avenue), pursuant to Section 20.14.140 of the El Paso Municipal Code. Zone: A-M (Apartment-Mobile Home Park). Applicant: Cecilia Cueta / Representative: Acosta Engineering; 3127 Montana, El Paso, TX 79903. THIS IS AN APPEAL CASE.

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01010, FOR ALL OF LOT 1, BLOCK 9, I-10 INDUSTRIAL PARK REPLAT "A", EL PASO, EL PASO COUNTY, TEXAS (9400 BLOCK OF ESCOBAR DRIVE), PURSUANT TO CONTRACT CONDITION.

WHEREAS, **Filion Manufacturing & Engineering, Inc.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to the Contract imposed by Ordinance No. 005643 and dated October 31, 1975, by and between the City and I-10 Joint Venture and K. & D. Development & Construction Company, Inc. to permit the construction and development of a plastic manufacturing plant; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a plastic manufacturing plant on the following described property which is located in an **M-1/sc (Manufacturing/special contract) District**:

All of Lot 1, Block 9, I-10 INDUSTRIAL PARK REPLAT "A", El Paso, El Paso County, Texas, municipally known and numbered as the 9400 Block of Escobar Drive.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **M-1/sc (Manufacturing/special contract) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **M-1/sc (Manufacturing/special contract) District** regulations. Such agreement shall be

signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01011, FOR A PORTION OF LOT 3, BLOCK 1, SUNSET PLAZA, EL PASO, EL PASO COUNTY, TEXAS (4800 OSBORNE DRIVE), PURSUANT TO CONTRACT CONDITION.

WHEREAS, **Dimensions Architects** (the "Applicant") has applied for approval of a detailed site development plan pursuant to the Contract imposed by Ordinance No. 008928 and dated February 17, 1987, between the City and Texas Commerce Bank - El Paso, NA, Independent Executor and Trustee under the Will of Mary White Boykin, Deceased, to permit the construction and development of a car wash and lube; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a car wash and lube facility on the following described property which is located in a **C-4/sc (Commercial/special contract) District**:

A portion of Lot 3, Block 1, SUNSET PLAZA, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known as 4800 Osborne Drive.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-4/sc (Commercial/special contract) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-4/sc (Commercial/special contract) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Ms. Pat Aauto, Planning Director, explained the Site Plan requirements for Council Members.

Motion made by Representative Cobos, seconded by Representative Medina and unanimously carried to approve the above Resolution.

NOTE: Resolution was revised to include "ZONE: C-4 (Commercial/sc)" - "special conditions".

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 5025 Joe Herrera Drive, in El Paso, Texas, which property is more particularly described as follows:

Lots: The westerly 39.15 feet of Lot 22 and the easterly 33 feet of Lot 23, Block 15, Tobin Park Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 17, Page 7, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; and

WHEREAS, Ernest S. Huey record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on August 7th, 2001; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That a public hearing be scheduled for October 9th, 2001, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and

- d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
 4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
 5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
 6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
 7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owner any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services, presented slides and gave the Department's recommendations.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to accept the Department's recommendations as read by Mr. Maguire and to adopt the above resolution.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 1400-1406 Delta Dr., AKA 404 Nino Aguilera St., AKA 404 Tornillo St., in El Paso, Texas, which property is more particularly described as follows:

Lots: The West 80 feet of Lots 11 through 13, Block 63, Magoffin Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 14, Page 19, Plat Records of El Paso County

is dilapidated, substandard, and unfit for human habitation or use; is a hazard to public health, safety, and welfare; and

WHEREAS, Maria Del Carmen Gonzalez record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on August 7th, 2001; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That a public hearing be scheduled for October 2nd, 2001, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - d. That the Owner of said Building are hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to

secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and

3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with securing and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services, presented slides and read from a prepared statement.

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to accept the Department's recommendations as read by Mr. Maguire and to adopt the above resolution..

.....

ORDER

WHEREAS, after providing due notice to the Owners of the hereinafter described property, the City Council of the City of El Paso conducted Public Hearings on June 12th and August 7th, 2001, regarding the property located at 7305 Dale Road, more particularly described as:

Lot: 20, Block 10, Stiles Gardens, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 3, Page 9, Plat Records of El Paso County, Texas

and found that the accessory structures located on said property are substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the accessory structures are not in substantial compliance with the Municipal Ordinances, and that the accessory structures can not be repaired; and

WHEREAS, having found that the accessory structures are not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owners of said property to demolish the accessory structures, and remove all junk vehicles and clean the property of all weeds, trash and debris within 30 days of adoption of the Resolution dated June 12th, 2001, that is on or before July 12th, 2001.

WHEREAS, the City Council ORDERED the Owners of said property to appear before City Council on August 7th, 2001, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:
 - a. That the Owners of said property, Remedios & Beatrice Alvarez, 7305 Dale Road, El Paso, Texas 79915, were notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
 - b. That after notification, the Owners committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owners failed to demolish the accessory structures, remove junk vehicles, and clean the premises of all weeds, trash and debris within 30 days after June 12th, 2001 that is, on or before July 12th, 2001; and
 - c. That the Owners have failed to comply with the Order each day from July 12th, 2001 through August 7th, 2001, a total of 26 days; and
 - d. That the property which is subject to the Order is not the Owner's homestead; and
 - e. That the City Council can assess a civil penalty against the Owners in an amount not to exceed \$1,000.00 a day for each violation, a total of \$26,000.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Owner is hereby assessed the following civil penalties: \$100 a day for each of the 26 days during which the City Council Order of June 12th, 2001 was not complied with; for a total of \$2,600.
2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
3. That the Owners are hereby placed on notice that continuing failure to comply with the City Council's Order to demolish the accessory structures and clean the premises of all weeds, trash, and debris may result in additional penalties.

Mr. Thomas Maguire, Building Services, presented slides and read from a prepared statement

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to accept the Department's recommendations and to adopt the above order.

.....
No action was taken regarding authorizing the City's Economic Development Department to negotiate a tax abatement agreement with Company "Expanding Local Manufacturer" and Company "Information Technology", and make a recommendation to City Council within one week.

Mr. Ruben Guerra, Chairman of the Board of Greater El Paso Chamber of Commerce, discussed two economic development opportunities for the City of El Paso. He explained that the Greater El Paso Chamber of Commerce represents 1800 large and small El Paso businesses. He recognized the City of El Paso's long term relationship with the Greater El Paso Chamber of Commerce and stated that the Chamber of Commerce would not seek City funding for the coming year in order to relieve the City of this burden. He stressed that the Chamber of Commerce would continue to be committed to increasing the tax base while creating higher paying jobs for El Pasoans with the recruitment of new industry and the expansion of existing businesses. The Chamber of Commerce's members would be investing \$10 million dollars this year in order that the El Paso economy continues to grow. Mr. Guerra then discussed how the City and the Chamber of Commerce could continue a partnership to create additional jobs. He explained the priorities of the Chamber of Commerce as follows: to support existing companies, recruitment of higher paying jobs that provide a living wage, the need to provide health care benefits and training for the workforce, the support of the Legislative Review of the Tax Abatement Guidelines. He explained that the Greater Chamber of Commerce of El Paso supports Tax Training Credits which would serve as an incentive for job creation and training for El Pasoans.

Mayor Raymond Caballero commended Mr. Guerra on his poignant, intelligent statement. He asked that emphasis be placed on educational institutions from kindergarten through higher education.

Mr. Tom Thomas, Senior Vice President of Economic Development with the Greater El Paso Chamber of Commerce, discussed the two companies expressing an interest in relocating to El Paso. Mr. Thomas explained that the "Expanding Local Manufacturer" would create a minimum of 125 new jobs. He explained the "Expanding Local Manufacturer" would provide employee benefits to include health insurance, employee education assistance, 401(k), profit sharing for salaried employees. He discussed the facility expansion of the "Expanding Local Manufacturer".

Mr. Thomas elaborated on the new jobs created by the "Information Technology" firm to include 300 new employees, of which 150 employees would be paid \$14.00 per hour, the other 150 averaging \$45,000.00 annually. He discussed the employee benefits to include health and life insurance, 401(k), on the job training, etc.

Representative Sumrall stated that the first company is located in her District and that she would support giving the tax abatements to them.

Mayor Raymond Caballero asked Mr. Thomas questions regarding the number of temporary and/c permanent employees for the first company, benefits for the temporary employees, what the job turnover rate was, what the starting salary of the employees were. Mayor Caballero understood there were employees making \$5.20 per hour and questioned the number of employees making this amount of money. He asked whether the company was laying off more than 200 employees. Mayor Caballero asked Mr. Thomas to look closely at the incentives (globally and ad hoc) regarding the second company. He stated that the Economic Development Department could sit down with the two companies and obtain the additional information so that Council might make sound decisions in a timely manner.

Mr. Thomas responded to Mayor Caballero's questions as follows: 720 permanent employees, he said he was not sure of the number of temporary, but temporary employees receive benefits through the temporary agency that hires them, he did not know the turnover rate, he responded that the starting salary varies from \$8.00 to \$12.00 per hour, employees earning \$5.20 were temporary employees from a temporary agency, not permanent employees of the company and he was unsure of the number; however, he thought it might be in the range of 200. Mr. Thomas responded yes the company is laying off more than 200 employees; however, the net increase would be above 125 employees.

Mr. Thomas responded to the Mayor's comment regarding the second company as follows: He explained that this is a Fortune 300 company. He asked that the Council issue its standard letter which outlines the possible tax abatement incentives. The Economic Development Department converses with the companies and negotiates and obtains information so that the Council can make informed decisions. He asked that decisions regarding offering tax abatements to the companies be made in a timely manner.

Representative Cook stated that it is not unusual that companies keep secrets from their competitors. He stated that the item has appeared on the Agenda so that the Economic Development Department might have some kind of direction to start having dialogue with companies interested in relocating to El Paso.

Mayor Caballero agreed with Representative Cook's comments and explained that the Economic Development Department could sit down with these two companies and begin some type of dialogue.

Mr. Thomas asked if Mr. Roberto Franco, Director of Economic Development, could speak to the companies' representatives in order to seek some type of direction.

Mayor Caballero stated yes.

Representative Sumrall expressed her disappointment in not knowing the name of the second company.

Mr. Thomas stated that he does not know the name of the company either.

Mr. Franco remarked that the Mayor's Executive Assistant, Ms. Susannah Byrd, and the Economic Development Department have spoken with the two companies and explained to the first company what the conditions are. The second (as of yet unnamed) company has also spoken with Ms. Byrd and the Economic Development Department and understands the conditions.

Representative Sariñana asked if the first company has other company locations and what the pay rate was of the employees in the other locations.

Mr. Franco responded that the headquarters is located in the East Coast, an operation across the border and the El Paso operation. Mr. Franco stated that the temporary workers make \$5.20, the entry level

Hoover workers start at \$7.10 and within the year are paid \$7.90. He explained that the wages are low and one of the issues is to raise these wages considerably.

Representative Rodriguez asked Mr. Franco if he could provide information to Council within the next two days so that the Legislative Review meeting could be scheduled.

Mr. Franco explained that the meeting would take place on August 28, 2001.

Mr. Guerra made closing remarks by stating that for the record that the intent of the issue was to authorize the City's Economic Development Department to begin discussions with the two companies and to determine the most expedient method of resolution. He thanked Council for their time.

.....
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance creating a Districting Commission for 2001, as identified in Article II, Section 2.4(B) of the El Paso City Charter.
- B. That Ordinance No. 8064, the Classification and Compensation Plan, shall be amended as follows: As recommended by the Civil Service Commission, the class of **ASSISTANT AIRPORT OPERATIONS OFFICER** is hereby created in accordance with the duties and responsibilities attached hereto. The Code is **5321**. The Grade is **PM 73**.
- C. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Museum Department), Section 2.40.020 (fees), of the El Paso Municipal Code and Ordinance No. 14194, to eliminate admission fees to the El Paso Museum of Art and to the El Paso Wilderness Park Museum.

PUBLIC HEARING WILL BE HELD ON AUGUST 21, 2001 FOR ITEM A - C

- D. An Ordinance changing the zoning of all of Lot 3, Block 1, SUNRISE ACRES UNIT 1 REPLAT, El Paso, El Paso County, Texas (4200 Skyline Avenue) from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract). The penalty being as provided in Section 20.68 of the El Paso Municipal Code.
- E. An Ordinance granting Special Permit No. SU-01010 to allow for expansion of the Child Crisis Center of El Paso on a portion of PRIDHAM SURVEY NO. 274, El Paso, El Paso, County, Texas (2100 North Stevens Street), pursuant to section 20.14.040.D (Zoning), the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD ON AUGUST 28, 2001 FOR ITEMS D - E

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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ADDITION TO THE AGENDA

***R E S O L U T I O N**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN IRS FORM 8283—NONCASH CHARITABLE CONTRIBUTION TO RECOGNIZE THE DONATION TO THE CITY OF 1.277 ACRES OF LAND IN EL PASO, EL PASO COUNTY, TEXAS, BY KEYSTONE DAM, LTD.

WHEREAS, Keystone Dam, Ltd., a Texas Limited Partnership donated 1.277 acres of land in El Paso, El Paso County, Texas to the City of El Paso; and,

WHEREAS, Keystone Dam, Ltd., has requested the City sign IRS Form 8283—Noncash Charitable Contribution for tax purposes; and,

WHEREAS, the City desires to comply with the request of Keystone Dam, Ltd., NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign IRS Form 8283—Noncash Charitable Contribution in recognition of the donation to the City of 1.277 acres of land in El Paso, El Paso County, Texas by Keystone Dam, Ltd.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT AMONG THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, THE UNION PACIFIC RAILROAD COMPANY AND THE CITY OF EL PASO FOR RAILROAD CROSSING WORK AT AIRWAY BOULEVARD AND AIRPORT ROAD, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the State, acting through the Texas Department of Transportation (TxDOT), is reconstructing Airway Boulevard and Airport Road in El Paso, Texas; and,

WHEREAS, TxDOT proposes as a part of the reconstruction to install new concrete crossing panels at the railroad line intersect points at Airway Boulevard and Airport Road in El Paso, El Paso County, Texas; and,

WHEREAS, the City's part of the work is to agree to trim and maintain trees and vegetation for adequate visibility of crossing signs and signals, the remainder of all the work to be accomplished by TxDOT through its contractor; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign an Agreement among the State of Texas, acting through the Texas Department of Transportation, the Union Pacific Railroad Company and the City of El Paso, Texas for railroad crossing work at Airway Boulevard and Airport Road, El Paso, El Paso County, Texas.

Mr. Daryl Cole, Deputy Director for Streets, explained that this was an Agreement between the Texas Department of Transportation, Union Pacific Railroad and the City of El Paso to place a safety crossing on Airway Boulevard. The crossing location is approximately 500 yards east of Airport Road on Airway.

Representative Rodriguez asked Mr. Cole whether Union Pacific could extend the improvements to beyond this particular railroad crossing. She stated that other railroad crossings located throughout the City are in poor condition.

Mr. Cole stated that this Agreement is specifically for just this crossing location. He would speak with the railroad company regarding future locations.

Motion made by Representative Rodriguez, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

.....
***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL GOVERNMENTAL AGREEMENT BETWEEN THE CITY OF EL PASO AND THE YSLETA INDEPENDENT SCHOOL DISTRICT FOR THE JOINT DEVELOPMENT AND USE OF RECREATIONAL FACILITIES AT THE RAMONA ELEMENTARY SCHOOL CAMPUS, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the Ysleta Independent School District (YISD) has agreed to enter into an Interlocal Governmental Agreement with the City whereby four (4) acres of land, more or less, will be made available for the joint use of the City and the District to provide park and recreational fields for the use of the students of Ramona Elementary School and the citizens of El Paso; and,

WHEREAS, the City desires to provide recreational facilities for its citizens, and has recognized the benefit of more parks and recreational facilities adjacent to school facilities; and,

WHEREAS, the District desires to join with the City for the purpose of enhancing the quality of recreational facilities for athletic activities incident to its school purposes; and,

WHEREAS, the City and the District recognize that an Agreement for the joint development and use of play fields at a joint park and school site to be located on the Ramona Elementary School campus in El Paso, El Paso County, Texas would improve the efficiency and effectiveness of their respective local governments; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign an Interlocal Governmental Agreement between the City of El Paso and the Ysleta Independent School District for the joint development and use of recreational facilities at the Ramona Elementary School Campus, El Paso, El Paso County, Texas.

.....
***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF EL PASO AND THE EL PASO TEXAS STAKE OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS TO ALLOW THE YOUTH OF THE CHURCH ACCESS TO CERTAIN CITY PROPERTY TO PAINT A MUTUALLY ACCEPTABLE MURAL ON THE PROPERTY TO BEAUTIFY AND PROTECT THE PROPERTY FROM VANDALISM AND GRAFFITI.

WHEREAS, the El Paso Texas Stake of the Church of Jesus Christ of Latter-Day Saints has requested permission to conduct a community service activity on August 4, 2001 with its youth organization

to enter onto City property and paint the said property to beautify and protect the property from vandalism and graffiti; and,

WHEREAS, the City of El Paso desires to encourage community involvement and volunteerism to help Keep El Paso Beautiful; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign, on behalf of the City, an agreement between the City of El Paso and the El Paso Texas Stake of the Church of Jesus Christ of Latter-Day Saints to allow the Church's youth organization, as a community service activity on August 4, 2001, to have the youth enter onto certain City property for the purpose of the supervised painting of a mutually acceptable mural scene on the property so as to preserve and protect the property from vandalism.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Upper Rio Grande Workforce Development Area Interlocal Agreement between the City of El Paso and Counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, and Presidio.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

Angel Chafino Memorial Fund/Robert Chafino to use amplification (40 microphones, 8 speakers, 18 amplifiers) at 500 San Francisco (stage underneath the Durango Street bridge) on August 12, 2001 from 3:00 p.m. to 10:30 p.m. Approximately 70 persons will use amplification and 3,000 spectators are anticipated.

This item was discussed following the passage of Ordinance number 14906.

Ms. Rita Rodriguez, First Assistant City Attorney, explained that this item has been approved due to the passage of Ordinance 14906.

Representative Sumrall asked whether the Police Department had given their approval.

Ms. Carole Hunter, City Clerk, remarked that the Police Department had responded positively.

Motion made by Representative Cobos, seconded by Representative Medina and unanimously carried to approve the request of Angel Chafino Memorial Fund/Robert Chafino to use amplification (40 microphones, 8 speakers, 18 amplifiers) at 500 San Francisco (stage underneath the Durango Street bridge) on August 12, 2001 from 3:00 p.m. to 10:30 p.m. Approximately 70 persons will use amplification and 3,000 spectators are anticipated.

.....
No action was taken regarding discussion and action on Housing Authority. (Cristina R. Aurora Velarde)

NOTE: The item on the Agenda was presented by two individuals: Ms. Cristina Rivera and Ms. Aurora Velarde.

Ms. Cristina Rivera, citizen, made comments to Council Members in Spanish regarding a situation within the Housing Authority.

Representative Cook asked that a translation be given.

Representative Medina explained that Cristina Rivera had come before City Council a month ago and had asked to have a meeting with the Mayor. The Mayor's secretary explained that a date was not available for a meeting with Ms. Rivera.

Mayor Raymond Caballero interjected that Ms. Rivera was asked to provide a written statement regarding her issue to the Mayor's secretary.

Ms. Velarde continued with her comments.

Representative Medina continued stating that Ms. Rivera did provide a written statement which was given to Mr. Martinez, Secretary of the Housing Authority.

Ms. Rivera continued with her comments.

Mayor Raymond Caballero stated that this was an issue not related to the City but to another corporation.

Representative Medina translated that Ms. Rivera has encountered problems with another individual in the Housing Authority.

Mayor Caballero explained that he had asked Ms. Rivera to provide a letter to him in writing; however, Ms. Rivera had written the letter to Mr. Martinez of the Housing Authority. He stated that the Housing Authority is a separate corporation with its own governing Board. He explained that he would be making appointments to the Housing Board due to resignations. He asked that Ms. Rivera take her concerns to the Housing Board.

Representative Cook added that he had offered the use of his secretary to prepare a letter to the Mayor for Ms. Rivera. This offer was refused.

Representative Medina translated to Ms. Rivera the comments made by Mayor Caballero.

Mayor Caballero stated that it would be inappropriate for City Council to take any action in regard to this situation.

.....
Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:
.....

Motion made by Representative Medina, seconded by Representative Sariñana and unanimously carried to postpone one (1) week the Executive Session item:

El Paso Disposal L.P., 01-C-193 (551.071)

.....
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 12:05 p.m.

APPROVED AS TO CONTENT:

Carole Hunter

Carole Hunter, City Clerk

APPROVED AS TO FORM:



Rita Rodriguez, First Assistant City Attorney